CQ, January 28, 2009

Rep. Harry Mitchell, D-Ariz., sees the \$816 billion economic stimulus bill as an opportunity to freeze lawmakers' pay.

Rep. John Adler, a freshman Democrat from New Jersey, wants the government to send \$500 in assistance to retired seniors and disabled veterans.

Arizona Republican Jeff Flake just wants to ensure taxpayer dollars aren't being spent on duck ponds, museums, skate or dog parks, equestrian centers, ski hills, historic homes, ice rinks, "splash" playgrounds or speaker systems — items of arguable stimulative value.

Their brainchildren are just three of the 206 amendments members of the House filed this week with the gate-keeping Rules Committee, which determines which of them will get a vote on the House floor.

Most of the amendments were headed for the legislative dust bin when the Rules Committee met for a marathon hearing Tuesday in a cramped committee room on the third floor of the Capitol.

Only 11 amendments, Democratic, Republican and bipartisan, were ultimately designated for floor votes, not including a handful of provisions that were combined into a single amendment that will be absorbed into the text of the bill when the House votes to adopt the rule governing floor debate on Wednesday.

Speaker Nancy Pelosi 's hand-picked chairwoman of the committee, 79-year-old New York Rep. Louise M. Slaughter, picked the winners and losers among the prospective amendments in accordance with the California Democrat's wishes.

In the gentle twang of her native Harlan County Kentucky, Slaughter laid out three criteria for deciding which amendments should be "made in order" — the technical phrasing for getting a fair hearing on the House floor.

To win approval from Rules, Slaughter said, an amendment had to be germane or relevant, to the bill, have a stimulative effect on the economy and not increase the overall price tag.

The sole exception, she said, is a \$3 billion increase in transit spending favored by the overwhelming majority of House Democrats.

It is both controversial and common for the Rules Committee to simply preclude any amendments, Republican or Democratic, from being offered to bills on the floor.

So the decision to allow even a limited number of amendments actually makes the massive stimulus legislation (HR 1) more open to amendment than most bills.

Still, many lawmakers were denied the opportunity to get a vote on their favored alterations to the bill.

The Cutting Room Floor

Seasoned lawmakers have come to expect that their legislative ideas have less-than-favorable odds of getting a straight up-or-down vote on the House floor.

Nonetheless, House members and their aides filed into the Rules Committee hearing room all afternoon and evening on Tuesday to make the case for why their amendments deserved to be considered by their colleagues.

The room overflowed, and aides lined up against the walls in the hallway outside the hearing room as their bosses answered questions at a witness table reserved for testimony from House members.

Some of the amendments are simply expressions of policy preference. For example, Jerrold Nadler, D-N.Y., did not plan to push hard for his amendment to increase appropriations in the bill by 75 percent.

But for others, like Mitchell, the stimulus represented an opportunity to get a floor vote on long-pursued policy goals.

Mitchell filed an amendment to extend current tax rates on capital gains and the estate tax in addition to his proposal to halt the automatic increase in members' pay from taking effect.

He first introduced the salary freeze as a freshman in the last Congress.

"We're trying to find every avenue," he said of the stimulus amendment.

Adler said he would turn to allies in the Senate to promote his plan to give retired senior citizens and disabled veterans \$500 checks.

Steve King , R-lowa, sought to replace the entire contents of the legislation with his flat-tax proposal.

The Winner's Circle

Among the most successful proposals was one from Mark Steven Kirk, R-III., that sought to strip \$200 million in funding for refurbishment of the National Mall, where hundreds of thousands of Americans watched President Obama take the oath of office on Jan. 20.

"The Mall in its current condition handled the inauguration of President Obama well," Kirk wrote in a letter to fellow House members urging them to oppose the spending.

Kirk argued that three previous plans to remake the Mall were stopped after negative responses to them.

"Given the collapse of the National Park Service's A, B and C options, it is clear that this program is not shovel-ready and would spark opposition from a number of quarters," he wrote.

Kirk's amendment was wrapped into a "self executing" rule that will adopt a handful of amendments at once when the full House votes Wednesday to approve the rule governing debate on the bill. The Rules Committee approved it on a party-line vote Tuesday night.

Larry Kissell , a freshman Democrat from North Carolina, had offered amendments intended to direct stimulus spending to American textile and metal manufacturers. He was one of the lucky ones; his proposal for uniform purchases to be made from American textile-makers was put on the docket for a Wednesday floor vote.

But Jack Kingston, R-Ga., was on the losing end with his objection to the bill's \$50 million provision for the National Endowment for the Arts. His amendment would have shifted the money to transportation projects, which he says would have a more stimulative effect on the economy.

"I just think putting people to work is more important than putting more art on the wall of some New York City gallery frequented by the elite art community." Kingston said. "Call me a sucker for the working man."

Slaughter said that when amendments are denied, she and her Democratic colleagues on the Rules Committee are happy to discuss why an amendment failed to get its chance on the floor.

"We give them a reason," Slaughter said. "It's not a capricious thing."